

#### DEPARTMENT OF THE NAVY

#### OFFICE OF THE SECRETARY 1000 NAVY PENTAGON WASHINGTON, D.C. 20350-1000

SECNAVINST 1920.6B

PERS-834D

13 December 1999

### SECNAV INSTRUCTION 1920.6B

From: Secretary of the Navy To: All Ships and Stations

Subj: ADMINISTRATIVE SEPARATION OF OFFICERS

Ref: (a) Title 10, United States Code

(b) DoD Directive 1332.30 of 14 Mar 97 (NOTAL)

(c) SECNAVINST 1850.4D

(d) DoD Instruction 1336.1 of 6 Jan 89

(e) DoD 8320.1-M of Mar 94

(f) SECNAVINST 5300.28C

(g) SECNAVINST 5510.30A

(h) SECNAVINST 1900.10A

(i) Defense Officer Personnel Management Act (DOPMA), Pub. L. No. 96-513, 94 Stat. 2835 (1980)

(j) SECNAVINST 1412.8 (NOTAL)

(k) SECNAVINST 1412.9A (NOTAL)

(1) SECNAVINST 1420.1A

(m) SECNAVINST 1421.7B (NOTAL)

(n) DoD Directive 1304.19 of 18 Sep 93 (NOTAL)

#### Encl: (1) Definitions

- (2) Policy Governing Voluntary Separation
- (3) Policy Governing Involuntary Separation
- (4) Guidelines on Separations For Cause
- (5) Guidelines on Characterization of Service
- (6) Guidelines on Recommendations Grade at Retirement
- (7) Notification Procedure
- (8) Administrative Board Procedures
- (9) Guidelines for Fact-finding Inquiries into Homosexual Conduct
- 1. <u>Purpose</u>. To revise policies, standards, and procedures for the administrative separation of Navy and Marine Corps officers from the Naval Service in accordance with references (a) and (b). This instruction is a complete revision and should be reviewed in its entirety.
- 2. Cancellation. SECNAVINST 1920.6A.

# 3. Effective Date

- a. This instruction is effective 90 days after signature and shall control all administrative separation proceedings initiated on or after that date. Proceedings are considered to be initiated on the date a command receives a written request for separation from an officer, or on the date a command delivers to an officer a notice of intent to start separation proceedings.
- b. Separation proceedings initiated prior to the effective date of this instruction will be continued under policy and instructions in effect prior to that date.

# 4. Applicability

- a. Under the authority of references (a) and (b), this instruction provides for the revocation of commissions, discharge, termination of appointments, release from active duty, retirement for length of service, and dropping from the rolls of Navy and Marine Corps officers. The policies, reasons for separation, and provisions for characterization of service set forth in this instruction apply to all officers and warrant officers of the Regular and Reserve components of the Navy and Marine Corps.
- b. This instruction does not apply to discharge or dismissal by reason of court-martial sentence under reference (a), or discharge or retirement for physical disability under reference (c).
- 5. <u>Definition</u>. Definitions and rules of interpretation used in this instruction are provided in enclosure (1).
- 6. <u>Background</u>. Once an individual has legally accepted a commission or warrant as a Regular or Reserve officer in the Navy or Marine Corps and has executed the oath of office, he or she has acquired a legal status which continues until it is terminated through a specific, legally authorized process. Neither retirement nor release from active duty affects an individual's status as a commissioned or warrant officer until the officer's commission or warrant has been terminated.
- 7. <u>Policy</u>. It is Department of the Navy policy to promote the readiness of the Naval Service by maintaining authorized strength levels in each grade and competitive category and by maintaining

the highest standards of conduct and performance in the officer corps. To meet these objectives, it is necessary to provide for orderly and expeditious administrative separation of officer personnel.

- a. The administrative separation policies and procedures in this instruction will support accession, promotion, redesignation, retirement, and resignation policies to:
- (1) maintain authorized strength in each competitive category and grade;
- (2) ensure planned promotion flow and reasonable career opportunities in each competitive category;
- (3) attain and maintain an all Regular active-duty career force in each competitive category, supplemented when necessary with Reserve officers to meet current authorized strength and special skills requirements; and
- (4) sustain the traditional concepts of honorable military service and special trust and confidence placed in commissioned officers.
- b. Officers being processed for separation for cause shall be processed expeditiously. Such officers should receive sufficient supervision to preclude adverse effects on the good order and discipline in their unit. Further, when local processing has been completed and separation has been recommended, the officer concerned shall be physically separated from the command whenever possible by means of leave, temporary reassignment, or other methods while processing is being completed by the chain of command.
- c. Standards and procedures established in execution of these policies are intended to achieve consistency of application in a naval leadership system based on command responsibility, accountability, and discretion. The standards and procedures are set forth in enclosures (2) through (9), under guidance from references (a) through (n).
- 8. <u>Completion of Statutory Service Obligation</u>. Officers will normally be retained in a commissioned status in order to fulfill the statutory service obligation referred to in section 651 of

reference (a) and subparagraph 4a of enclosure (2). Exceptions to this general rule are as follows:

- a. An officer who is discharged from a Regular component for cause for any reason other than substandard performance of duty shall not be tendered a Reserve commission and therefore shall not be transferred to the Ready Reserve to fulfill his or her statutory service obligation.
- b. A Reserve officer on active duty or in an active status not on active duty who would otherwise be discharged for cause for any reason other than substandard performance of duty will not be transferred to or retained in the Ready Reserve to fulfill his or her statutory service obligation.
- c. An officer will not be transferred to or retained in the Ready Reserve when there are medical reasons why he or she would not be available to meet mobilization requirements.
- 9. <u>Separation Pay</u>. SECNAVINST 1900.7G governs entitlement to separation pay for officers who are involuntarily separated under the provisions of this instruction.
- 10. <u>Processing Time Goals</u>. To support policy objectives and further the efficient administration of officer separations, every effort shall be made to adhere to the following time goals for processing separations. Failure to process an administrative separation within the prescribed time goals shall not create a bar to separation or characterization. Separation processing should be completed:
- a. By the date of fulfillment of service obligation for separations upon fulfillment of service obligation.
- b. Thirty days from the date a command notifies an officer of the commencement of separation proceedings in cases where no Board of Inquiry (BOI).
- c. Ninety days from the date a command notifies an officer of the commencement of separation proceedings in cases where a BOI is required.
- 11. Establishing Additional Reasons for Separation. Should the need arise to separate officers for a reason not established in enclosures (2) or (3) of this instruction, the Chief of Naval

Operations (CNO) and the Commandant of the Marine Corps (CMC) may propose to the Secretary of the Navy (SECNAV), the establishment of a new reason for separation to be included in this instruction. Submission for such additional reasons shall contain the basis for separation, recommended characterization of service or description for the separation, and the procedure for the separation. Separation under any proposed reason will not be executed until the proposal has been approved.

12. Provision of Information During Separation Processing. During separation processing, the purpose and authority of the Discharge Review Board and the Board for Correction of Naval Records shall be explained in a fact sheet. It shall include an explanation that a discharge under Other Than Honorable conditions, resulting from a period of continuous unauthorized absence of 180 days or more, is a conditional bar to benefits administered by the Veterans Administration notwithstanding any action by a Discharge Review Board. These requirements are a command responsibility and not a procedural entitlement. Failure on the part of the member to receive or to understand the explanation required by this paragraph does not create a bar to separation or characterization.

## 13. Responsibilities

- a. For all purposes under this instruction, with the exception of cases involving flag and general officers, the Assistant Secretary of the Navy (Manpower and Reserve Affairs) (ASN (M&RA)) is designated to act on behalf of the Secretary.
- b. CNO and CMC are responsible for implementing the policies, standards, procedures and goals established in this instruction in a manner that ensures consistency in separation policy including revision or cancellation of conflicting guidance.
- c. CNO and CMC shall ensure that only the specific reasons for separations provided in this instruction are used in classifying officer administrative separations. They shall also ensure that these specific reasons appear on appropriate copies of the officer's DD 214, Certificate of Release or Discharge from Active Duty, under reference (d) and are reported using the

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separation codes of reference (e). In all cases involving drug offenses, the applicable drug offense shall be shown.

- The Chief of Naval Personnel (CHNAVPERS) and the Deputy Chief of Staff for Manpower and Reserve Affairs (DC/S (M&RA)) are designated as the Show Cause Authority for the Navy and the Marine Corps respectively, and are delegated the authority to review records to determine whether an officer should be required to show cause for retention in the Naval Service and to convene BOIs as provided in enclosure (8). CHNAVPERS may further delegate this authority to Commander, Navy Personnel Command (CNPC) and Officers Exercising General Court-Martial Jurisdiction (OEGCMJ) with a Staff Judge Advocate (SJA) assigned. The CMC may further delegate this authority to the Director, Marine Corps Staff. Show Cause Authority may be further delegated within the Marine Corps to generals and lieutenant generals in command. Additionally, CHNAVPERS and DC/S (M&RA) are delegated the authority of approving Resignation/Discharge Orders and Certificates in routine matters. CHNAVPERS may further delegate this authority to Commanding Officer, Naval Reserve Personnel Center.
- 14. Report. The reporting requirements contained in this instruction are exempt from reports control by SECNAVINST 5214.2B.

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